

Kevin J. Kieffer (Nevada Bar No. 7045)
TROUTMAN SANDERS LLP
kevin.kieffer@troutmansanders.com
5 Park Plaza
Suite 1400
Irvine, CA 92614-2545
Telephone: 949.622.2700
Facsimile: 949.622.2739

Craig R. Delk (Nevada Bar No. 2295)
CRD@thorndal.com
THORNDAL, ARMSTRONG, DELK
BALKENBUŠH & EISINGER
1100 E. Bridger Avenue
Las Vegas, NV 89101
Telephone: (702) 366-0622
Facsimile: (702) 366-0327

*Attorneys for Plaintiff
Beazley Insurance Company, Inc.*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BEAZLEY INSURANCE COMPANY,
INC., a Connecticut Corporation,

Case No. 2:13-cv-00963 JCM-NJK

v. Plaintiff,

EAGLE GROUP HOLDINGS, LLC, a Nevada Limited Liability Company, and JAY BLOOM, an individual.

Defendants

**NOTICE OF SETTLEMENT
AND STIPULATION AND
REQUEST FOR ORDER
STAYING ACTION AND
APPLICABLE DEADLINES;
[PROPOSED] ORDER
THEREON**

AMENDED PAGE 2

1 WHEREAS, on May 31, 2013, Plaintiff Beazley Insurance Company, Inc.
2 ("Beazley") filed the above-captioned action for declaratory and other relief against
3 Defendant Eagle Group Holdings, LLC ("Eagle Group") and Defendant Jay Bloom
4 ("Bloom"). This action concerns a dispute over insurance coverage under a
5 professional liability insurance policy issued by Beazley to the Defendants (the
6 "Policy") for the underlying lawsuit captioned *Braxton v. Eagle Group Holdings,*
7 *LLC*, Case No. A-12-672783-C (Clark County, Nevada) (the "Braxton action").

8 WHEREAS, the *Braxton* action is a putative class action filed by Plaintiff
9 Harold Braxton and others similarly situated (collectively the "Class") against
10 Eagle Group.

11 WHEREAS, on August 6, 2013, the Class, Eagle Group, Bloom, and Beazley
12 participated in a mediation of this matter with Hon. Edward A. Panelli (Ret.).

13 WHEREAS, the parties reached a global settlement of this action and the
14 *Braxton* action at the August 6, 2013 mediation (the "Global Settlement").

15 WHEREAS, the Global Settlement is contingent upon, among other things,
16 the *Braxton* court approving the Global Settlement and certifying the Class for
17 settlement purposes.

18 WHEREAS, the parties anticipate filing a motion for preliminary approval of
19 the Global Settlement in the *Braxton* action shortly. Subsequently, once notice,
20 allowance for opt outs, and other required class administration matters have been
21 performed, the parties will seek final approval of the Global Settlement.

22 WHEREAS, for these reasons, good cause exists to stay this action and
23 continue all applicable deadlines until the later of (i) the final approval of the
24 Global Settlement by the *Braxton* court, (ii) a finding by the *Braxton* court that the
25 Global Settlement will not be approved, or (iii) upon motion of any party for good
26 cause.

27 NOW THEREFORE, BASED ON THE FOREGOING, Beazley, Eagle
28 Group and Bloom hereby STIPULATE AND REQUEST that the Court stay this

1 action and continue all applicable deadlines until the later of (i) the final approval
2 of the Global Settlement by the *Braxton* court, (ii) a finding by the *Braxton* court
3 that the Global Settlement will not be approved, or (iii) upon motion of any party
4 for good cause. The parties shall notify the Court as soon as practicable after one of
5 these events occurs.

6 Dated: August 21, 2013

7 Kevin J. Kieffer

8 TROUTMAN SANDERS LLP

9 Craig R. Delk
10 THORNDAL, ARMSTRONG, DELK
BALKENBUSH & EISNER

11 By: /s/ Kevin J. Kieffer
12 Kevin J. Kieffer

13 *Attorneys for Plaintiff*
14 *Beazley Insurance Company, Inc.*

16 Dated: August 21, 2013

17 Joseph A. Gutierrez

18 MAIER GUTIERREZ AYON

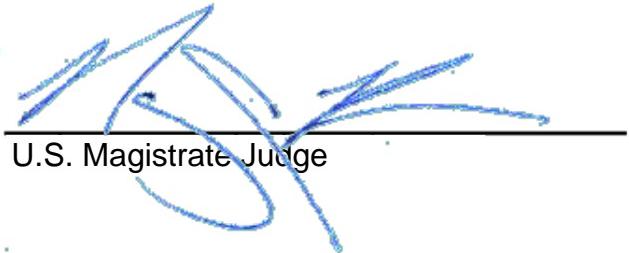
20 By: /s/ Joseph A. Gutierrez
21 Joseph A. Gutierrez

22 *Attorneys for Defendants*
Eagle Group Holdings, LLC and Jay
Bloom

23 **The parties must submit a joint status report to the Court no later than
24 November 20, 2013.**

25 **IT IS SO ORDERED**

26 Dated this 22nd day of August 2013

27 
U.S. Magistrate Judge